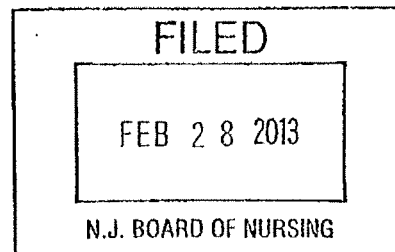


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION OR :
REVOCATION OF THE CERTIFICATE OF :

JESSICA M. MORALES, CHHA :
Certificate No. 26NH12643700 :

ADMINISTRATIVE ACTION

**FINAL ORDER OF
DISCIPLINE**

TO PRACTICE AS A HOMEMAKER-HOME :
HEALTH AIDE IN THE STATE OF NEW :
JERSEY :

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Jessica M. Morales ("Respondent") is the holder of certificate number 26NH12643700 and has been certified at all times relevant hereto.

2. Upon receipt of a flagging notice indicating that Respondent was arrested on April 9, 2012 by the Camden Police Department for Aggravated Assault with a Weapon, N.J.S.A. 2C:12-1(b)(3), Possession of a Weapon, N.J.S.A. 2C:39-5(d), and Possession of a Weapon for Unlawful Purpose, N.J.S.A. 2C:39-4(d), the Board sent a letter of inquiry, requesting certain information and submission of documents, to Respondent's address of record in Camden, New Jersey, via regular and certified mail on or about April 17, 2012.

3. By facsimile dated April 25, 2012, Respondent advised the Board that she works for Mercy Home Care in Camden and that the matter was scheduled to be heard in court on May 23, 2012.

4. To date, Respondent has not provided a full response to the Board's request for information.

CONCLUSIONS OF LAW

The respondent's failure to fully respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2, -1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's failure to provide the Board with a valid address constitutes a violation of N.J.A.C. 13:37-5.7.

DISCUSSION

As a result of the respondent's failure to provide sufficient response to the letter of inquiry dated April 17, 2012, the Board issued a Provisional Order of Discipline ("POD") entered on July 11, 2012, which sought the suspension of the respondent's certification to practice as a certified homemaker-home health aide in the State of New Jersey until such time as she cooperated with the Board investigation by answering an inquiry into her arrest on charges of Aggravated Assault with a Weapon, N.J.S.A. 2C:12-1(b)(3), Possession of a Weapon, N.J.S.A. 2C:39-5(d), and Possession of a Weapon for Unlawful Purpose, N.J.S.A. 2C:39-4(d). The POD also sought a \$200 penalty.

The order provided that it would be subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless the respondent requested a modification or dismissal of the Findings of Fact or Conclusions of Law by submitting a written request setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all documents or other

written evidence supporting her request for consideration. Copies of the Provisional Order were mailed to the respondent via certified and regular mail, return receipt requested, to her address of record.

The certified mail was returned unclaimed but the regular mail was not returned undeliverable.

On or about August 2, 2012, the Board received a correspondence from Harold Katz, Deputy Public Defender for the State of New Jersey, stating that "Ms. Morales will advise you [the Board] in the event an indictment or other resolution of the case occurs." A copy of the criminal complaint was also enclosed. No further information was provided.

Ms. Morales has not provided sufficient information for the Board to evaluate the underlying allegations in this matter. To date, Respondent has not provided a meaningful and detailed response to the Board's request for information and failed to fully cooperate with the Board investigation. She did not provide police reports, a narrative statement of her version of the underlying conduct given rise to criminal charges or information regarding her current employment such as date of hire, working hours, type of unit and a copy of her most recent performance evaluation.

Respondent failed to fully cooperate with the Board

investigation and failed to submit a meaningful and detailed response to the POD. Because the POD was forwarded to Respondent's address of record and because both Respondent and her attorney have corresponded with the Board regarding this matter, the Board deems service to have been effected. Accordingly, it is determined that further proceedings are not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 28th day of February, 2013,
ORDERED that:

1. Respondent's certification to practice as a homemaker-home health aide be and hereby is suspended until such time as Respondent cooperates with the Board's investigation by providing the Board with responses to the information requested in the Board letter sent on or about April 17, 2012, including but not limited to, documentation concerning allegation of Aggravated Assault with a Weapon, N.J.S.A. 2C:12-1(b)(3), Possession of a Weapon, N.J.S.A. 2C:39-5(d), and Possession of a Weapon for Unlawful Purpose, N.J.S.A. 2C:39-4(d).

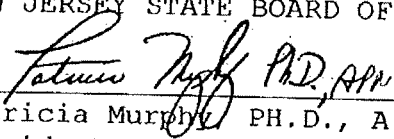
2. Respondent shall refrain from engaging in the practice of homemaker-home health aide and shall not represent herself as a certified homemaker-home health aide until such time as her

certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

3. Respondent shall remit payment of a fine and penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$200.00 by certified check or money order payable to the State of New Jersey, delivered to Executive Director George Hebert, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days **after** the entry date of this Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a Certificate of Debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By:

 PH.D., A.P.N., F.A.A.N.
Patricia Murphy PH.D., A.P.N., F.A.A.N.
President